

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,
individually and on behalf of NORFOLK
& PORTSMOUTH BELT LINE
RAILROAD COMPANY,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD-LRL

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,

Defendants.

_____ /

**PLAINTIFF CSX TRANSPORTATION INC.'S
MOTION FOR ATTORNEYS' FEES**

Plaintiff CSX Transportation, Inc. ("CSXT"), by counsel, and pursuant to Fed. R. Civ. P. 37(a)(5)(A), respectfully moves this Court to award CSXT the reasonable fees and expenses it incurred in pursuing its Motion to Reopen and Compel Depositions (ECF No. 203), which the Court granted on September 4, 2020 (ECF No. 237). In support of this Motion, CSXT refers this Court to its contemporaneously filed Memorandum in Support, which is incorporated herein by reference.

WHEREFORE, for the reasons stated in the accompanying Memorandum in Support, CSXT respectfully requests that the Court award CSXT its attorneys' fees and expenses incurred in making its Motion to Reopen and Compel Depositions. A proposed order granting the requested relief is attached as **Exhibit 1** to this Motion.

Dated: October 5, 2020

Respectfully submitted,

CSX TRANSPORTATION, INC.

By Counsel

/s/ Robert W. McFarland

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CERTIFICATE OF SERVICE

I certify that on this 5th day of October, 2020, a true and correct copy of the foregoing was served on all counsel of record via Notice of Electronic Filing by filing with the Court's CM/ECF system.

/s/ Robert W. McFarland

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